

00- 12-1323

(Do Not Write Above This Line)

A RESOLUTION  
BY COMMUNITY DEVELOPMENT/HUMAN RES. COMM  
A RESOLUTION AUTHORIZING THE MAYOR ON  
BEHALF OF THE CITY OF ATLANTA TO ENTER  
INTO A PROGRAM FUNDING AGREEMENT WITH  
PROGRESSIVE REDEVELOPMENT, INC. (PRI)  
TO FUND THE CONSTRUCTION OF 50 FOR SALE  
TOWNHOMES, FOR IMPLEMENTATION UNDER THE  
HOMEOWNERSHIP ASSISTANCE PROJECT; THE  
PROGRAM FUNDING AGREEMENT IS FOR AN  
AMOUNT NOT TO EXCEED \$225,000 FROM THE  
HOME INVESTMENT PARTNERSHIP FUND (HOME)  
2000 PROJECT YEAR AND THE FUND ACCOUNT  
AND CENTER NUMBER 3P05 529002  
Y53P0150A3J0; AND FOR OTHER PURPOSES.

ADOPTED BY

SEP 18 2000

COUNCIL

- ☐ CONSENT REFER  
☐ REGULAR REPORT REFER  
☐ ADVERTISE & REFER  
☐ 1st ADOPT 2nd READ & REFER  
☐ PERSONAL PAPER REFER

Date Referred

Referred To:

Date Referred

Referred To:

Date Referred

Referred To:

First Reading

Committee \_\_\_\_\_  
Date \_\_\_\_\_  
Chair \_\_\_\_\_  
Referred to \_\_\_\_\_

Committee <i>CD/HK</i>	Committee
Date <i>9/13/00</i>	Date
Chair <i>[Signature]</i>	Chair
Action: <input checked="" type="checkbox"/> Fav, Adv, Hold (see rev. side) <i>Subd</i>	Action: Fav, Adv, Hold (see rev. side) Other:
Members <i>[Signature]</i>	Members
Refer To	Refer To

Committee	Committee
Date	Date
Chair	Chair
Action: Fav, Adv, Hold (see rev. side)	Action: Fav, Adv, Hold (see rev. side) Other:
Members	Members
Refer To	Refer To

FINAL COUNCIL ACTION

☐ 2nd ☐ 1st & 2nd ☐ 3rd  
Readings  
☒ Consent ☐ V Vote ☐ RC Vote

CERTIFIED

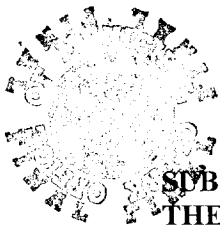
*[Stamp]*  
SEP 18 2000

CERTIFIED  
SEP 18 2000

*[Signature]*  
MUNICIPAL CLERK

MAYOR'S ACTION

*[Stamp]*  
SEP 18 2000  
*[Signature]*  
MAYOR



**SUBSTITUTE RESOLUTION BY  
THE COMMUNITY DEVELOPMENT AND  
HUMAN RESOURCES COMMITTEE**

**00-R-1323**

**A RESOLUTION AUTHORIZING THE MAYOR ON BEHALF OF THE CITY OF ATLANTA TO ENTER INTO A PROGRAM FUNDING AGREEMENT WITH PROGRESSIVE REDEVELOPMENT, INC. (PRI) TO FUND THE CONSTRUCTION OF 50 FOR SALE TOWNHOMES, FOR IMPLEMENTATION UNDER THE HOMEOWNERSHIP ASSISTANCE PROJECT; THE PROGRAM FUNDING AGREEMENT IS FOR AN AMOUNT NOT TO EXCEED \$225,000 FROM THE HOME INVESTMENT PARTNERSHIP FUND (HOME) 2000 PROJECT YEAR AND THE FUND ACCOUNT AND CENTER NUMBER 3P05 529002 Y53P0150A3J0, AND FOR OTHER PURPOSES.**

**WHEREAS**, the Homeownership Assistance Program was approved in the 2000 Annual Action Plan for the HOME program; and

**WHEREAS**, the funds provided by the Program Funding Agreement will be used to aid low and moderate income households acquire homes in the planned PRI-Lakewood Townhomes subdivision; and

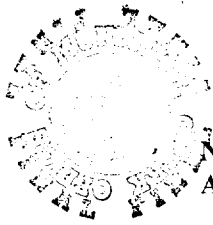
**WHEREAS**, 22 of the planned 50 units will receive \$10,228 in homeownership assistance for HOME income eligible households with a required low income affordable eligibility period of 5 years; and

**WHEREAS**, the Project Sponsor for the project activity has acquired the site and will construct the townhome units for sale housing in Council District 12 and NPU X within the City; and Atlanta City Council; and

**WHEREAS**, this property is located within a neighborhood that is designated as being in a Community Development Impact Area; and

**WHEREAS**, the project is ready for implementation; and

**WHEREAS**, the City will obtain the release of funds from the U.S. Department of Housing and Urban Development of Housing and Urban Development (HUD) for this project based on the filing of the environmental clearances.



**NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATLANTA GEORGIA, as follows: HEREBY RESOLVES:**

**SECTION 1:** That Mayor is authorized to enter into a Program Funding Agreement for an amount not to exceed \$225,000.00 with PRI under the Homeownership Assistance Project.

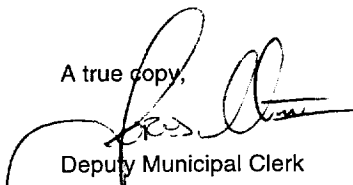
**SECTION 2:** The Commissioner of the Department of Planning Development and Neighborhood Conservation or his designee is authorized to sign the necessary administrative documents for the following HOME project:

PROJECT #, NAME, AND NUMBER OF UNITS	BORROWER	AMOUNT NOT TO EXCEED	CHARGED TO AND PAID FROM ACCOUNT NUMBER
Lakewood Pointe Townhomes, Atlanta Georgia 3181 Lakewood Ave. Atlanta, Ga. 30310 50 homes 22 HOME assisted	Borrower: PRI  Developer: PRI and Community Affairs Ministering Partnership (CAMP)	\$225,000	3P05 529002 Y53P0150A3J0

**SECTION 3:** This contract shall not become binding on the City and the City shall incur no liability until such time as: (1) the City has received the required environmental clearance from HUD; (2) the Council and the Mayor have approved this resolution; (3) the Program Funding Agreement has been signed by the Mayor and Commissioner or his designee for the Department of Planning Development and Neighborhood Conservation and delivered to the contracting parties.

**SECTION 4:** That all resolutions and parts of resolutions in conflict herewith be and the same hereby repealed.

A true copy,



Deputy Municipal Clerk

**ADOPTED by the City Council  
APPROVED by the Mayor**

September 18, 2000  
September 26, 2000



CITY OF ATLANTA  
DEPARTMENT OF PLANNING DEVELOPMENT  
AND NEIGHBORHOOD CONSERVATION  
SUITE 1200 68 MITCHELL ST.SW  
ATLANTA GEORGIA 30335

# PROGRAM FUNDING AGREEMENT

## HOMEOWNERSHIP ASSISTANCE PROJECT

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BUREAU OF HOUSING FINANCE AND  
ECONOMIC DEVELOPMENT

Progressive Redevelopment Inc.

Lakewood Pointe Townhomes



# AGREEMENT

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## Part 1

THIS AGREEMENT made and entered into this April 26, 2000 by and between the City of Atlanta, a municipal corporation of the State of Georgia, hereinafter referred to as the "City" and Progressive Redevelopment Inc. hereinafter referred to as the "Project Sponsor".

## WITNESSETH

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Whereas the City is the recipient of a grants from the U.S. Department of Housing and Urban Development (HUD) under the Housing and Community Development Act of 1974 as amended and the Stewart B. McKinney Homeless Assistance Act of 1987, as amended; and

Whereas the City desires to provide funds to the Project Sponsor to carry out project activities under the Lakewood Pointe Townhomes Project; and

Whereas, this agreement is authorized by the legislation of the Atlanta City Council and approved by the Mayor, and made a part hereof by reference; and

Whereas, this agreement authorizes the Commissioner, the Deputy Commissioner, or the Director of the Bureau of Housing Finance and Economic Development to sign all necessary administrative documents to fund the project activity authorized by Council and approved the Mayor; and

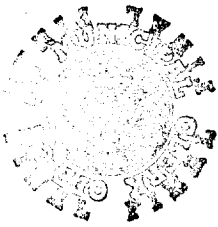
Whereas the Project Sponsor has indicated, its ability and desire to perform said activities for a sum not to exceed \$225,000.00 from the City of Atlanta, Homeownership Assistance Project using Home Investment Partnership Funds (HOME); and

Now, Therefore, for and in consideration of mutual covenants and undertakings hereinafter, set forth, the receipt and sufficiency of which are hereby acknowledged, the City, and the Project Sponsor agree as follows:

## THE PROJECT SPONSOR AGREES:

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- a. The Project Sponsor shall carry out all project activities in accordance with all applicable laws ordinances codes, regulations, and requirements of the federal state, county and city governments.
- b. The Project Sponsor shall in a satisfactory and proper manner as determined by the Bureau of Housing Finance and Economic Development perform the activities detailed in the administrative documents required to close the Program Funding Agreement contemplated here.
- c. The work to be performed by the Project Sponsor will begin upon issuance of the Notice to Proceed by the Bureau of Housing Finance and Economic Development.



- d. The Project Sponsor shall make request for payment in an amount no greater than the principal amount of the Program Funding Agreement contemplated here.
- e. The Project Sponsor further agrees to perform the activities detailed in the Required Documents Checklist and the Program due Diligence Checklist.

## THE CITY AGREES:

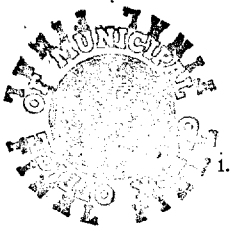
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- a. The City agrees to fund the Project Activity of the Project Sponsor in an amount equal to the principal stated above.
- b. The City agrees to abide by and be subject to: all the terms, conditions, clauses and stipulations contained within the Required Documents and the Program Due Diligence Checklist.

## THE PROJECT SPONSOR AND THE CITY AGREE

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- a. This agreement shall be construed and enforceable in accordance with the laws of the State of Georgia.
- b. Time is of the essence in this agreement and each and every obligation and undertaking set forth herein.
- c. The total value of this Program Funding Agreement is \$225,000 from the City of Atlanta, Homeownership Assistance Project using Home Investment Partnership Funds (HOME), fund account and center 3P05 529002 Y53P0150A3J0.
- d. This Agreement and the documents listed in the Required Documents and Program Due Diligence Checklist contain the entire agreement of the parties, and no representations or agreements oral or otherwise, among the parties not embodied herein shall be of any force or effect.
- e. The preceding terms and conditions are not exhaustive, and this agreement is subject to other terms and conditions that are deemed appropriate by the City of Atlanta under the circumstances.
- f. The Project Sponsor represents and agrees that all financial statements and other information delivered to the City of Atlanta are correct and complete.
- g. No material adverse change may occur in, any circumstances discovered about, the business or financial condition of the Project Sponsor before closing.
- h. City of Atlanta's obligation under this commitment is conditioned on the fulfillment, to City of Atlanta's sole satisfaction, of each term and condition referenced by this agreement.



This agreement is not assignable, and no party other than the Project Sponsor shall be entitled to rely on this agreement.

The parties hereto hereby designate the following persons or their successors in title, as their representatives, to whom all notices documents, requests and inquiries shall be addressed:

City: City of Atlanta  
Department of Planning Development and  
Neighborhood Conservation  
68 Mitchell St. SW Suite 1200  
Atlanta, Georgia 30335  
Attention: Alphonso Whitfield III

Project Sponsor: Progressive Redevelopment Inc.  
10 th Floor  
87 Walton St. NW.  
Atlanta, Georgia 30303  
Attn: Richelle Graham

This agreement authorizes the Commissioner, the Deputy Commissioner, or the Director of the Bureau of Housing Finance and Economic Development to sign all necessary administrative documents authorized by Council and approved the Mayor.

[THE REST OF THIS PAGE HAS BEEN INTENTIONALLY LEFT BLANK]



In witness whereof, the duly authorized officers of the city and the Project Sponsor have caused their hands and seals to be affixed this day and year first written above.

ATTEST:

CITY OF ATLANTA

\_\_\_\_\_  
Municipal Clerk

\_\_\_\_\_  
Mayor (Seal)

ATTEST:

PROJECT SPONSOR

Merrine P. Mills  
Secretary/Assistant Secretary

[Signature]  
Progressive Redevelopment  
Inc. (Seal)

APPROVED:

APPROVED AS TO FORM:

\_\_\_\_\_  
Commissioner, Department of  
Planning Development and Neighborhood  
Conservation

\_\_\_\_\_  
City Attorney



RCS# 2218  
9/18/00  
2:15 PM

# Atlanta City Council

## Regular Session

CONSENT

PAGES: 1-19

ADOPT

YEAS: 13  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 2  
EXCUSED: 0  
ABSENT 1

SEE ATTACHED LISTING OF  
ITEMS ADOPTED/ADVERSED  
ON CONSENT AGENDA

Y McCarty  
Y Starnes  
Y Bond  
Y Winslow

Y Dorsey  
NV Woolard  
Y Morris  
Y Muller

Y Moore  
B Martin  
Y Maddox  
Y Boazman

Y Thomas  
Y Emmons  
Y Alexander  
NV Pitts

ITEM (S) REMOVED FROM  
CONSENT AGENDA  
00-R-1321  
00-R-1322  
00-R-1388  
00-O-1435

# CORRECTED COPY

CONSENT

		09/18/00 Council Meeting
ITEMS ADOPTED ON CONSENT AGENDA		ITEMS ADVERSED ON CONSENT AGENDA
1. 00-O-1234 2. 00-O-1007 3. 00-O-1015 4. 00-O-1427 5. 00-O-1429 6. 00-O-1432 7. 00-R-1387 8. 00-R-1392 9. 00-R-1395 10. 00-R-1452 11. 00-R-1340 12. 00-R-1323 13. 00-R-1433 14. 00-R-0560 15. 00-R-0561 16. 00-R-1454 17. 00-R-1299 18. 00-R-1308 19. 00-R-1334 20. 00-R-1335 21. 00-R-1338 22. 00-R-1394 23. 00-R-1331 24. 00-R-1330 25. 00-R-1332 26. 00-R-1333 27. 00-R-1337 28. 00-R-1339 29. 00-R-1419 30. 00-R-1426 31. 00-R-1342 32. 00-R-1343 33. 00-R-1344 34. 00-R-1345 35. 00-R-1346 36. 00-R-1347 37. 00-R-1348 38. 00-R-1349 39. 00-R-1350 40. 00-R-1351	41. 00-R-1352 42. 00-R-1353 43. 00-R-1397 44. 00-R-1398 45. 00-R-1399 46. 00-R-1400 47. 00-R-1401 48. 00-R-1402 49. 00-R-1403 50. 00-R-1404	51. 00-R-1357 52. 00-R-1358 53. 00-R-1359 54. 00-R-1360 55. 00-R-1362 56. 00-R-1363 57. 00-R-1364 58. 00-R-1365 59. 00-R-1366 60. 00-R-1367 61. 00-R-1368 62. 00-R-1369 63. 00-R-1370 64. 00-R-1371 65. 00-R-1372 66. 00-R-1373 67. 00-R-1374 68. 00-R-1375 69. 00-R-1376 70. 00-R-1377 71. 00-R-1378 72. 00-R-1379 73. 00-R-1380 74. 00-R-1381 75. 00-R-1382 76. 00-R-1383 77. 00-R-1384 78. 00-R-1385 79. 00-R-1386 80. 00-R-1405 81. 00-R-1406 82. 00-R-1407 83. 00-R-1408 84. 00-R-1409 85. 00-R-1410 86. 00-R-1411 87. 00-R-1412 88. 00-R-1413